

Session 120 - (2013-2014)

S 0764 General Bill, By Alexander, Cromer and Malloy

Summary: Vulnerable Adult Guardian Ad Litem Program

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2, CHAPTER 35, TITLE 43 SO AS TO CREATE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM WITHIN THE OFFICE ON AGING TO RECRUIT, TRAIN, AND SUPERVISE VOLUNTEERS TO SERVE AS COURT APPOINTED GUARDIANS AD LITEM FOR VULNERABLE ADULTS IN ABUSE, NEGLECT, AND EXPLOITATION PROCEEDINGS; TO PROVIDE THE DUTIES AND RESPONSIBILITIES OF A GUARDIAN AD LITEM; TO PROVIDE THAT A GUARDIAN AD LITEM MAY BE A LAYPERSON OR AN ATTORNEY; TO PROVIDE QUALIFICATIONS TO BECOME A GUARDIAN AD LITEM; TO AUTHORIZE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM TO INTERVENE IN PROCEEDINGS TO PETITION FOR REMOVAL OF A GUARDIAN AD LITEM UNDER CERTAIN CONDITIONS; TO PROVIDE THAT CERTAIN INFORMATION, REPORTS, AND RECORDS MUST BE MADE AVAILABLE TO GUARDIANS AD LITEM BY CERTAIN STATE AND FEDERAL AGENCIES, MEDICAL AND DENTAL PRACTITIONERS, AND FINANCIAL INSTITUTIONS; TO PROVIDE THAT REPORTS AND INFORMATION COLLECTED AND MAINTAINED BY THE PROGRAM ARE CONFIDENTIAL AND TO PROVIDE FOR CIVIL IMMUNITY WHEN ACTING IN GOOD FAITH AND IN THE ABSENCE OF GROSS NEGLIGENCE; AND TO AMEND SECTION 43-35-45, RELATING, AMONG OTHER THINGS, TO THE APPOINTMENT OF AN ATTORNEY AND A GUARDIAN AD LITEM FOR A VULNERABLE ADULT IN A PROCEEDING, SO AS TO FURTHER PROVIDE THAT THE COURT SHALL APPOINT AN ATTORNEY FOR A LAY GUARDIAN AD LITEM AND THAT THE GUARDIAN AD LITEM MAY BE REMOVED IF THE VULNERABLE ADULT HAS THE CAPACITY TO ASSIST IN THE CASE.

06/04/13 Senate Introduced and read first time (Senate Journal-page 10)

06/04/13 Senate Referred to Committee on General (Senate Journal-page 10)